

THURSDAY, MAY 4, 2000

SEVENTY-FOURTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Ridgeway.

Representative Ridgeway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 92

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bowers; business reasons.

Representative Cole (Carter); personal reasons.

Representative Cole (Dyer); personal reasons.

Representative J. DeBerry; business reasons.

Representative Kisber; business reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 202:** Rep(s). Hood and Pleasant as prime sponsor(s).

**House Joint Resolution No. 627:** Rep(s). Beavers as prime sponsor(s).

**House Joint Resolution No. 630:** Rep(s). Patton as prime sponsor(s).

**House Joint Resolution No. 631:** Rep(s). Davis (Washington) as prime sponsor(s).

**House Joint Resolution No. 632:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 633:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 634:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 635:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 636:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 637:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 638:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 639:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 640:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 641:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 642:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 643:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 645:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 646:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 647:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 648:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 649:** Rep(s). Hood and Eckles as prime sponsor(s).

**House Joint Resolution No. 660:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 2811:** Rep(s). Langster and Naifeh as prime sponsor(s).

MESSAGE FROM THE SENATE

May 2, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1218, 2485, 2745, 2850, 2993, 3049, 3062, 3090 and 3273; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 1218** -- Loan Companies and Short Term Lenders - Authorizes alternative set of charges for small short term loans ranging in amount from \$100 to \$1,000. Amends TCA Section 45-5-403. by \*Cooper. (HB1237 by \*Gunnels, \*Ford S, \*Williams (Williamson), \*Phelan, \*Godsey, \*Mumpower, \*DeBerry J)

**\*Senate Bill No. 2485** -- Education - Requires certain actions by state department of education, state board of education, and Tennessee higher education commission to improve teaching of reading and literacy in Tennessee. Amends TCA Title 49, Chapter 1 and Title 49, Chapter 6. by \*Haynes, \*Burks. (HB2738 by \*Williams (Williamson), \*Hargrove, \*Cooper B, \*Hood)

**\*Senate Bill No. 2745** -- Taxes - Provides that issuance of notice of tangible personal property audit tolls deadline for making back assessments. Amends TCA Title 67, Chapter 1, Part 10. by \*Rochelle. (HB2820 by \*Kisber)

**\*Senate Bill No. 2850** -- Forest and Forest Products - Imposes certain requirements on certain logging activities. Amends TCA Title 11, Chapter 4 and Title 69, Chapter 3. by \*Cohen. (HB2712 by \*Odom)

**\*Senate Bill No. 2993** -- Education, State Board of - Requires state board of education to develop guidelines and criteria for instruction on railroad crossing safety. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 6. by \*Crutchfield. (HB3132 by \*Turner (Hamilton))

**\*Senate Bill No. 3049** -- Veterans - Enacts "Veterans' Dependents' Post-Secondary Education Assistance Act of 2000." Amends TCA Title 49, Chapter 7. by \*Crowe, \*Burks, \*Dixon, \*Williams. (HB3080 by \*Givens)

**\*Senate Bill No. 3062** -- Education - Requires suspended students to remain at place of residence during regular school hours or be considered truant. Amends TCA Title 49, Chapter 6, Part 30. by \*Harper, \*Dixon. (HB3217 by \*Jones U (Shelby))

**Senate Bill No. 3090** -- Insurance Companies, Agents, Brokers, Policies - Authorizes commissioner of commerce and insurance to regulate and control HMOs; establishes registration and other requirements for HMOs and holding companies. Amends Title 56 of the TCA. by \*McNally. (\*HB3017 by \*Kisber, \*Eckles, \*Hood, \*McAfee, \*Head)

**Senate Bill No. 3273** -- Fayette County - Subject to local approval, authorizes special wheel or privilege tax for retirement of debt for school construction. by \*Wilder. (HB3290 by \*Walley, \*Naifeh)

**ENROLLED BILLS**

**May 2, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2581, 2840, 2960, 3022, 3168, 3178, 3252, 3305, 3309; also, House Resolution(s) No(s). 200, 201 and 203.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**May 2, 2000**

The Speaker signed the following: House Bill(s) No(s). 2581, 2840, 2960, 3022, 3168, 3178, 3252, 3305, 3309; also, House Resolution(s) No(s). 200, 201 and 203.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 2, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2581, 2840, 2960, 3022, 3168, 3178, 3252, 3305 and 3309; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**May 2, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2581, 2840, 2960, 3022, 3168, 3178, 3252, 3305 and 3309.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 2, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2093, 2199, 2319, 2634; also, Senate Joint Resolution(s) No(s). 719, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 743, 745, 748, 749, 750 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**May 2, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2093, 2199, 2319, 2634; also, Senate Joint Resolution(s) No(s). 719, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 743, 745, 748, 749 and 750.



**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3128; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3064; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2121, 2124 and 2987; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1022; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2012; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2510; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2238; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2532; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2735 and 2760; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2787 and 3171; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2794.

The Senate concurred in House Amendment(s) No(s). 1 and 3 and nonconcurred in House Amendment(s) No(s). 5.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2622, as requested.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3035, as requested.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3250; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3101; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2155, 2213, 2410, 2474, 2620, 2644, 2673, 2685, 2886, 3074, 3095 and 3172; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2155** -- Solid Waste Disposal - Eliminates department of conservation and environment and local government supervision and approval for solid waste processing facilities; eliminates provision permitting interested persons' requests for public hearings on solid waste processing facilities Amends TCA Title 68, Chapter 211. by \*Burchett. (HB2595 by \*Kerr, \*Dunn, \*Montgomery)

**\*Senate Bill No. 2213** -- Criminal Offenses - Creates offense of selling or furnishing violent interactive video games to minors. Amends TCA Title 39, Chapter 17 and Title 40. by \*Miller J. (HB2187 by \*Bunch)

**\*Senate Bill No. 2410** -- Criminal Procedure - Authorizes court of record to order that reports of county medical examiners, toxicological reports and autopsy reports not be subject to disclosure upon petition by district attorney general that disclosure may seriously impede or impair investigation of homicide or felony; permits certain portions to be disclosed. Amends TCA Section 38-7-110. by \*Crutchfield. (HB2672 by \*Turner (Hamilton))

**\*Senate Bill No. 2474** -- Custody and Support - Allows initiation of termination of parental rights or modification of prior order of custody based upon grounds that custodial parent has been convicted or found civilly liable for the intentional and wrongful death of the child's other parent. Amends TCA Title 36, Chapter 1 and Title 36, Chapter 6. by \*Haynes. (HB2644 by \*McMillan)

**\*Senate Bill No. 2620** -- Welfare - Makes state surplus motor vehicles and forfeited motor vehicles available without cost to commissioner of human services for use by Families First participants prior to sale or other disposition of vehicle. Amends TCA Title 12, Chapter 2, Part 4 and Title 40, Chapter 33, Part 2. by \*Harper. (HB2716 by \*Armstrong, \*Pruitt, \*Tindell, \*Dunn, \*Brown, \*Brooks, \*Langster)

**\*Senate Bill No. 2644** -- Public Records - Designates as confidential all records to assist law enforcement agencies in preparing to respond to any violent or terrorist incidents. Amends TCA Section 10-7-503. by \*Burchett. (HB2450 by \*Hagood)

**\*Senate Bill No. 2673** -- Divorce and Annulment - Makes certain changes relative to distribution of marital property Amends TCA Section 36-4-121. by \*Cohen. (HB3104 by \*McMillan)

**\*Senate Bill No. 2685** -- Codes - Allows facilities owner or operator to temporarily reconfigure available bathrooms for estimated number of men and women at particular event if the ratio of men to women attendees is different than 1:1. Amends TCA Title 68, Chapter 120, Part 5. by \*Cohen. (HB2683 by \*Chumney, \*Bone, \*Beavers)

**Senate Bill No. 2886** -- Tennessee Bureau of Investigation - Clarifies that arresting or booking officer shall reproduce copy of fingerprints which are on file, update arrest data and forward two sets of fingerprints to TBI regardless of whether or not such fingerprints are found to be on file by the law enforcement agency. Amends TCA Title 38. by \*Person. (\*HB2120 by \*Buck)

**Senate Bill No. 3074** -- Water - Enacts "Inter-basin Water Transfer Act." Amends TCA Title 69, Chapter 8 and Title 65, Chapter 27. by \*Ramsey, \*Crutchfield. (\*HB3002 by \*McAfee)

**Senate Bill No. 3095** -- Parks, Natural Areas Preservation - Authorizes, in certain circumstances, state parks to purchase goods or supplies without following requirements for public purchases; specifies authorized uses of revenue generated by fees charged by parks. Amends TCA Title 11, Chapter 3. by \*Ramsey. (\*HB3023 by \*McAfee)

**Senate Bill No. 3172** -- Tennessee Emergency Management Agency (TEMA) - Changes the time period in which the governor must set compensation for property taken for temporary use during state emergencies from ten days to ten working days. Amends TCA Title 7, Chapter 86 and Title 58, Chapter 2. by \*McNally. (\*HB2365 by \*Eckles, \*Kisber, \*Head)

**MESSAGE FROM THE SENATE**

**May 3, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 755; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 755** -- Memorials, Sports - World Airlines Basketball Tournament. by \*Kyle, \*Cohen, \*Dixon, \*Ford J, \*Leatherwood, \*Person.

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2550; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2550** -- Safety - Increases certain electrical inspection fees. Amends TCA Title 68, Chapter 102, Part 1. by \*Cooper. (HB2888 by \*Rinks)

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 773; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 773** -- Memorials, Sports - Dixie Ponytails, fast pitch World Series champions. by \*Davis L.

**RESOLUTIONS REFERRED**

**May 3, 2000**

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

**\*House Resolution No. 204** -- General Assembly, Studies - Requests house committee on children and family affairs to study child abandonment. by \*McAfee.

House Children and Family Affairs Committee

## THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY

**\*House Joint Resolution No. 666** -- Memorials, Government Officials - Requests department of human services and bureau of TennCare to provide information concerning federal funding to house health and human resources committee and senate general welfare committee. by \*Bowers.

House Finance, Ways and Means Committee

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 204** -- General Assembly, Studies - Requests house committee on children and family affairs to study child abandonment. by \*McAfee.

Previously referred to the House Children and Family Affairs Committee

**\*House Joint Resolution No. 666** -- Memorials, Government Officials - Requests department of human services and bureau of TennCare to provide information concerning federal funding to house health and human resources committee and senate general welfare committee. by \*Bowers.

Previously referred to the House Finance, Ways and Means Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 8, 2000:

**House Resolution No. 205** -- Memorials, Recognition - Darnell Flowers, MLGW Law Explorers Coach. by \*Brooks.

**House Resolution No. 206** -- Memorials, Personal Occasion - Jack and Norma Burris, 50th wedding anniversary. by \*McKee.

**House Resolution No. 207** -- Memorials, Interns - Lana Adelaid McDowell. by \*Davis (Washington), \*Godsey, \*Mumpower.

**House Resolution No. 208** -- Memorials, Interns - Ben Hyder Houston. by \*Buck.

**House Resolution No. 210** -- Memorials, Interns - Micah Snyder. by \*Ford S.

**House Resolution No. 211** -- Memorials, Heroism - Lawrence Heatherly and James R. Barham, Korean War. by \*Rinks.

**House Joint Resolution No. 662** -- Memorials, Public Service - Bishop Joseph Perry. by \*Langster.

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**House Joint Resolution No. 663** -- Memorials, Death - Gloria Ann McKnight. by \*Fowlkes.

**House Joint Resolution No. 664** -- Memorials, Retirement - Sadie A. Chandler. by \*Fraley.

**House Joint Resolution No. 665** -- Memorials, Recognition - National Union of American Families. by \*Cooper B, \*Bowers.

**House Joint Resolution No. 667** -- Memorials, Public Service - Mrs. Karla Kampa. by \*Robinson.

**House Joint Resolution No. 668** -- Memorials, Interns - Laurie Winningham. by \*McMillan.

**House Joint Resolution No. 669** -- Memorials, Retirement - George Haley. by \*Eckles.

**House Joint Resolution No. 670** -- Memorials, Personal Achievement - David Lavender, Cub Scout Arrow of Light. by \*Garrett.

**House Joint Resolution No. 671** -- Memorials, Academic Achievement - Jill Marshall, Valedictorian, LaVergne High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 672** -- Memorials, Academic Achievement - Allison Marie Bennett, Valedictorian, Riverdale High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 673** -- Memorials, Academic Achievement - Audrey Lock, Valedictorian, Riverdale High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 674** -- Memorials, Academic Achievement - Lynne Taylor, Valedictorian, Eagleville High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 675** -- Memorials, Academic Achievement - Lisa Weaver, Valedictorian, Smyrna High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 676** -- Memorials, Recognition - Edgar Evins State Park, 25th Anniversary. by \*Buck.

**House Joint Resolution No. 679** -- Memorials, Academic Achievement - Patrick Bingham, Salutatorian, LaVergne High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 680** -- Memorials, Academic Achievement - George Andy Cook, Valedictorian, Smyrna High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 681** -- Memorials, Academic Achievement - Sarah Randolph, Valedictorian, Riverdale High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 682** -- Memorials, Academic Achievement - Patrick Currier, Valedictorian, Riverdale High School. by \*Beavers, \*Hood, \*Eckles.

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**House Joint Resolution No. 683** -- Memorials, Academic Achievement - Serena Bissinger, Valedictorian, LaVergne High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 684** -- Memorials, Academic Achievement - John Truex, Salutatorian, Riverdale High School. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 686** -- Memorials, Academic Achievement - Laura Bruce, Valedictorian, Hamshire High School. by \*Sands, \*White.

**House Joint Resolution No. 687** -- Memorials, Academic Achievement - Jessica Totty, Valedictorian, Santa Fe High School. by \*Sands.

**House Joint Resolution No. 688** -- Memorials, Academic Achievement - Sara Elizabeth Langley, Valedictorian, Columbia Academy. by \*Sands.

**House Joint Resolution No. 689** -- Memorials, Death - Margaret Frances Talley Bone. by \*Sands, \*Hood, \*Garrett.

**House Joint Resolution No. 690** -- Memorials, Public Service - Greg Hanson, Pleasant Ridge Elementary School. by \*Buttry.

**House Joint Resolution No. 691** -- Memorials, Professional Achievement - Benita Albert, Siemens Award for Advanced Placement recipient. by \*Caldwell.

### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 8, 2000:

**Senate Joint Resolution No. 547** -- Memorials, Death - Margaret Frances Talley Bone. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, P, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 767** -- Naming and Designating - Casey Jones Day, April 30, 2000. by \*Carter.

### **RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**Senate Joint Resolution No. 616** -- Naming and Designating - "Community Action Month," May 2000. by \*Crowe, \*Dixon.

House Calendar and Rules Committee



## THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY

**\*Senate Joint Resolution No. 624** -- Memorials, Government Officials - Urges Tennessee historical commission erect historical marker to designate location of former home of William Edmondson. by \*Harper, \*Dixon.

House Finance, Ways and Means Committee

**\*Senate Joint Resolution No. 667** -- Memorials, Government Officials - Urges commissioner of health to develop quality care incentive plan for Medicaid-participating nursing homes and submit necessary legislation to implement such plan. by \*Womack.

House Health and Human Resources Committee

**\*Senate Joint Resolution No. 688** -- General Assembly, Directed Studies - Requests select oversight committee on education to study and assess impact of English as Second Language (ESL) students on teacher effect data in value-added assessment system. by \*Dixon.

House Finance, Ways and Means Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3322** -- Cowan - Subject to local approval, increases compensation of council members. Amends Chapter 100 of the Private Acts of 1967; as amended. by \*Fraleigh.

**House Bill No. 3323** -- Dekalb County - Subject to local approval, provides for an advisory referendum at November 2000 regular election. by \*Buck.

**House Bill No. 3324** -- Houston County - Subject to local approval, enacts a hotel/motel tax. by \*Ridgeway.

**House Bill No. 3325** -- Erin - Subject to local approval, enacts hotel/motel tax. by \*Ridgeway.

**House Bill No. 3326** -- Bradford - Subject to local approval, deletes requirement that hiring or dismissal of any employee or officer requires affirmative vote of majority of all members of board of mayor and aldermen, whether present or not. Amends Chapter 38 of the Private Acts of 1985; as amended. by \*Phelan.

**House Bill No. 3327** -- Jonesborough - Subject to local approval, authorizes board of mayor and aldermen to levy and collect fees for street lighting through establishment of special improvement districts. Amends Chapter 135 of the Acts of 1903. by \*Patton.

**House Bill No. 3328** -- Memphis - Subject to local approval, changes procedure for filling vacancies on board of education. Amends Chapter 30 of the Acts of 1868-1869; as amended. by \*Jones U (Shelby).

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 1218** -- Loan Companies and Short Term Lenders - Authorizes alternative set of charges for small short term loans ranging in amount from \$100 to \$1,000. Amends TCA Section 45-5-403. by \*Cooper. (HB1237 by \*Gunnels, \*Ford S, \*Williams (Williamson), \*Phelan, \*Godsey, \*Mumpower, \*DeBerry J)

**\*Senate Bill No. 2155** -- Solid Waste Disposal - Eliminates department of conservation and environment and local government supervision and approval for solid waste processing facilities; eliminates provision permitting interested persons' requests for public hearings on solid waste processing facilities Amends TCA Title 68, Chapter 211. by \*Burchett. (HB2595 by \*Kerr, \*Dunn, \*Montgomery)

**\*Senate Bill No. 2213** -- Criminal Offenses - Creates offense of selling or furnishing violent interactive video games to minors. Amends TCA Title 39, Chapter 17 and Title 40. by \*Miller J. (HB2187 by \*Bunch)

**\*Senate Bill No. 2410** -- Criminal Procedure - Authorizes court of record to order that reports of county medical examiners, toxicological reports and autopsy reports not be subject to disclosure upon petition by district attorney general that disclosure may seriously impede or impair investigation of homicide or felony; permits certain portions to be disclosed. Amends TCA Section 38-7-110. by \*Crutchfield. (HB2672 by \*Turner (Hamilton))

**\*Senate Bill No. 2474** -- Custody and Support - Allows initiation of termination of parental rights or modification of prior order of custody based upon grounds that custodial parent has been convicted or found civilly liable for the intentional and wrongful death of the child's other parent. Amends TCA Title 36, Chapter 1 and Title 36, Chapter 6. by \*Haynes. (HB2644 by \*McMillan)

**\*Senate Bill No. 2485** -- Education - Requires certain actions by state department of education, state board of education, and Tennessee higher education commission to improve teaching of reading and literacy in Tennessee. Amends TCA Title 49, Chapter 1 and Title 49, Chapter 6. by \*Haynes, \*Burks. (HB2738 by \*Williams (Williamson), \*Hargrove, \*Cooper B, \*Hood)

**\*Senate Bill No. 2620** -- Welfare - Makes state surplus motor vehicles and forfeited motor vehicles available without cost to commissioner of human services for use by Families First participants prior to sale or other disposition of vehicle. Amends TCA Title 12, Chapter 2, Part 4 and Title 40, Chapter 33, Part 2. by \*Harper. (HB2716 by \*Armstrong, \*Pruitt, \*Tindell, \*Dunn, \*Brown, \*Brooks, \*Langster)

**\*Senate Bill No. 2644** -- Public Records - Designates as confidential all records to assist law enforcement agencies in preparing to respond to any violent or terrorist incidents. Amends TCA Section 10-7-503. by \*Burchett. (HB2450 by \*Hagood)

**\*Senate Bill No. 2673** -- Divorce and Annulment - Makes certain changes relative to distribution of marital property Amends TCA Section 36-4-121. by \*Cohen. (HB3104 by \*McMillan)

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**\*Senate Bill No. 2685** -- Codes - Allows facilities owner or operator to temporarily reconfigure available bathrooms for estimated number of men and women at particular event if the ratio of men to women attendees is different than 1:1. Amends TCA Title 68, Chapter 120, Part 5. by \*Cohen. (HB2683 by \*Chumney, \*Bone, \*Beavers)

**\*Senate Bill No. 2745** -- Taxes - Provides that issuance of notice of tangible personal property audit tolls deadline for making back assessments. Amends TCA Title 67, Chapter 1, Part 10. by \*Rochelle. (HB2820 by \*Kisber)

**\*Senate Bill No. 2850** -- Forest and Forest Products - Imposes certain requirements on certain logging activities. Amends TCA Title 11, Chapter 4 and Title 69, Chapter 3. by \*Cohen. (HB2712 by \*Odom)

**Senate Bill No. 2886** -- Tennessee Bureau of Investigation - Clarifies that arresting or booking officer shall reproduce copy of fingerprints which are on file, update arrest data and forward two sets of fingerprints to TBI regardless of whether or not such fingerprints are found to be on file by the law enforcement agency. Amends TCA Title 38. by \*Person. (\*HB2120 by \*Buck)

**\*Senate Bill No. 2993** -- Education, State Board of - Requires state board of education to develop guidelines and criteria for instruction on railroad crossing safety. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 6. by \*Crutchfield. (HB3132 by \*Turner (Hamilton))

**\*Senate Bill No. 3049** -- Veterans - Enacts "Veterans' Dependents' Post-Secondary Education Assistance Act of 2000." Amends TCA Title 49, Chapter 7. by \*Crowe, \*Burks, \*Dixon, \*Williams. (HB3080 by \*Givens)

**\*Senate Bill No. 3062** -- Education - Requires suspended students to remain at place of residence during regular school hours or be considered truant. Amends TCA Title 49, Chapter 6, Part 30. by \*Harper, \*Dixon. (HB3217 by \*Jones U (Shelby))

**Senate Bill No. 3074** -- Water - Enacts "Inter-basin Water Transfer Act." Amends TCA Title 69, Chapter 8 and Title 65, Chapter 27. by \*Ramsey, \*Crutchfield. (\*HB3002 by \*McAfee)

**Senate Bill No. 3090** -- Insurance Companies, Agents, Brokers, Policies - Authorizes commissioner of commerce and insurance to regulate and control HMOs; establishes registration and other requirements for HMOs and holding companies. Amends Title 56 of the TCA. by \*McNally. (\*HB3017 by \*Kisber, \*Eckles, \*Hood, \*McAfee, \*Head)

**Senate Bill No. 3095** -- Parks, Natural Areas Preservation - Authorizes, in certain circumstances, state parks to purchase goods or supplies without following requirements for public purchases; specifies authorized uses of revenue generated by fees charged by parks. Amends TCA Title 11, Chapter 3. by \*Ramsey. (\*HB3023 by \*McAfee)

**Senate Bill No. 3172** -- Tennessee Emergency Management Agency (TEMA) - Changes the time period in which the governor must set compensation for property taken for temporary use during state emergencies from ten days to ten working days. Amends TCA Title 7, Chapter 86 and Title 58, Chapter 2. by \*McNally. (\*HB2365 by \*Eckles, \*Kisber, \*Head)

## THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY

**Senate Bill No. 3273** -- Fayette County - Subject to local approval, authorizes special wheel or privilege tax for retirement of debt for school construction. by \*Wilder. (HB3290 by \*Walley, \*Naifeh)

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3319** -- Oakdale -- Local Bill Held on House Desk

**House Bill No. 3321** -- Cookeville -- Local Bill Held on House Desk

### REPORTS FROM STANDING COMMITTEES

The committees that met on **May 2, 2000**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 8, 2000**: House Bill(s) No(s). 3058, House Joint Resolution(s) No(s). 567, House Bill(s) No(s). 643, 128, 3038, 2450, Senate Joint Resolution(s) No(s). 610, House Bill(s) No(s). 2434 and 2171.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 8, 2000**: House Bill(s) No(s). 3118 and Senate Joint Resolution(s) No(s). 531.

The Committee further recommends that House Bill(s) No(s). 2757 be referred to the Judiciary Committee.

#### CHILDREN AND FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Joint Resolution(s) No(s). 516, also House Bill(s) No(s). 2688 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 3092 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Resolution(s) No(s). 186; also House Bill(s) No(s). 2291, 3065, 2326 and 145 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**CONSUMER AND EMPLOYEE AFFAIRS**

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 713 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**FINANCE, WAYS AND MEANS**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3071, 3039, 2834, 2865, 3148, 2449, 2712, House Joint Resolution(s) No(s). 595, also House Bill(s) No(s). 1213, 2342, 3009, 2950, 3049, 2168, 2480, 2481 and 2217 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**JUDICIARY**

The Judiciary Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2641 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **May 3, 2000**, reported the following:

**CHILDREN AND FAMILY AFFAIRS**

The Children and Family Affairs Committee recommended for passage: House Joint Resolution(s) No(s). 493, also House Bill(s) No(s). 2297 and House Resolution(s) No(s). 204 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2954 and 3034 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2111, 2957, also House Bill(s) No(s). 715, 717, 718, 2677, 2928, 1143 and 1559 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s). 532 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **May 4, 2000**, reported the following:

**COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 8, 2000**: House Bill(s) No(s). 2769, 3149, 2120 and 3170.

The Committee also set the following bill(s) on the **Regular Calendar** for **May 11, 2000**: House Bill(s) No(s). 3144, 3062, 2970, 2955, 2503, 2187, 2160 and 2672.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 8, 2000**: House Joint Resolution(s) No(s). 589, Senate Joint Resolution(s) No(s). 620, House Bill(s) No(s). 2415, 2089, 2085, 2067, 2064, 2390, 2670, 2845, 2759, 2188, 2253 and 2452.

**CAPTION BILLS REFERRED**

**May 3, 2000**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 25, 417 and 2755 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 25** -- Pensions and Retirement Benefits – House Finance Ways and Means Committee

**\*House Bill No. 417** -- DUI/DWI Offenses – House Judiciary Committee

**House Bill No. 2755** -- Insurance, Health, Accident – House Health and Human Resources Committee

**CONSENT CALENDAR**

**House Resolution No. 202** -- Memorials, Recognition - 30th Anniversary, Shelby State Community College. by \*Bowers, \*Kent, \*Hargett.

**House Joint Resolution No. 623** -- Memorials, Personal Occasion - Mr. and Mrs. James and Ruby Essary, 50th Wedding Anniversary. by \*Goins.

**House Joint Resolution No. 624** -- Memorials, Academic Achievement - Allison Rosenbalm, Valedictorian, Claiborne County High School. by \*Goins.

**House Joint Resolution No. 625** -- Memorials, Academic Achievement - Amber Leigh Brooks, Valedictorian, Claiborne County High School. by \*Goins.

**House Joint Resolution No. 626** -- Memorials, Academic Achievement - Allen Miller, Salutatorian, Claiborne County High School. by \*Goins.

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**House Joint Resolution No. 627** -- Memorials, Recognition - First Presbyterian Church of Lebanon, 90th anniversary. by \*Bone.

**House Joint Resolution No. 629** -- Memorials, Retirement - Tim Sloan. by \*Naifeh.

**House Joint Resolution No. 630** -- Memorials, Interns - Kathy Ann Sittloh. by \*Beavers.

**House Joint Resolution No. 631** -- Memorials, Personal Occasion - Mr. And Mrs. Ernest L. McKinney, 50th Wedding Anniversary. by \*Patton.

**House Joint Resolution No. 632** -- Memorials, Academic Achievement - Katherine Elizabeth Whitfield, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 633** -- Memorials, Academic Achievement - Elizabeth Ann Holt, 2000 Valedictorian, Eagleville High School. by \*Beavers.

**House Joint Resolution No. 634** -- Memorials, Academic Achievement - Heath Hardin, Valedictorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 635** -- Memorials, Academic Achievement - Kathy Drake, Salutatorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 636** -- Memorials, Academic Achievement - Heidi Elisa Osterheld, Salutatorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 637** -- Memorials, Academic Achievement - Kathryn Marie Long, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 638** -- Memorials, Academic Achievement - Nicole Rigsby, 2000 Eagleville High School Salutatorian. by \*Beavers.

**House Joint Resolution No. 639** -- Memorials, Academic Achievement - Susan Renee Miller, 2000 Valedictorian, Murfreesboro Oakland High School. by \*Beavers.

**House Joint Resolution No. 640** -- Memorials, Academic Achievement - Elizabeth McFarlin, 2000 Salutatorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 641** -- Memorials, Academic Achievement - Cason Shirley, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 642** -- Memorials, Academic Achievement - Amanda Michelle Frazier, Salutatorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 643** -- Memorials, Academic Achievement - Virginia Lowery, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 644** -- Memorials, Sports - Bradford High School girls' basketball team, TSSAA Class A state champions. by \*Phelan.

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**House Joint Resolution No. 645** -- Memorials, Academic Achievement - Benjamin Patrick Persons, Valedictorian, Oakwood High School. by \*Beavers.

**House Joint Resolution No. 646** -- Memorials, Academic Achievement - Tamara Paige Sweeney, Valedictorian, La Vergne High School. by \*Beavers.

**House Joint Resolution No. 647** -- Memorials, Academic Achievement - Michelle Gourley, Valedictorian, LaVergne High School. by \*Beavers.

**House Joint Resolution No. 648** -- Memorials, Academic Achievement - Nichole Dassance, Valedictorian, LaVergne High School. by \*Beavers.

**House Joint Resolution No. 649** -- Memorials, Academic Achievement - Ashley Lysette Rundall, Valedictorian, Riverdale High School. by \*Beavers.

**House Joint Resolution No. 650** -- Memorials, Death - Commissioner Claude Lott. by \*Walley.

**House Joint Resolution No. 651** -- Memorials, Death - Quinten Newman. by \*Walley.

**House Joint Resolution No. 652** -- Memorials, Sports - Unified Martial Arts of Sparta. by \*Curtiss.

**House Joint Resolution No. 654** -- Memorials, Academic Achievement - Corey James Willis, Valedictorian, Spring Hill High School. by \*Sands.

**House Joint Resolution No. 655** -- Memorials, Academic Achievement - Robyn Brooke Boshers, Valedictorian, Columbia Central High School. by \*Sands.

**House Joint Resolution No. 656** -- Memorials, Academic Achievement - Emily Brooke Wade, Valedictorian, Mt. Pleasant High School. by \*Sands.

**House Joint Resolution No. 657** -- Memorials, Academic Achievement - Matthew Steven Patterson, Valedictorian, Culleoka School. by \*Sands.

**House Joint Resolution No. 658** -- Memorials, Retirement - Eloise Harlan Cheatham. by \*Sands.

**House Joint Resolution No. 659** -- Memorials, Recognition - Elizabeth Wiggins. by \*Hargrove.

**House Joint Resolution No. 660** -- Memorials, Recognition - The Jennings A. Jones College of Business. by \*Hood, \*Williams (Williamson), \*Fraley, \*Sands, \*Fowlkes, \*Eckles.

**House Joint Resolution No. 661** -- Memorials, Recognition - "Bass Annie" Company. by \*Cooper B, \*Towns, \*Brooks, \*Turner (Shelby), \*Chumney, \*Jones U (Shelby), \*DeBerry J, \*Miller L.

**Senate Joint Resolution No. 754** -- Memorials, Retirement - General William B. Raines, Jr. by \*Crutchfield, \*Fowler, \*Williams.



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Rep. Hargett moved that all members of the Shelby County delegation voting aye on House Resolution No. 202 be added as sponsors, which motion prevailed.

Rep. Cooper moved that all members of the Shelby County delegation voting aye on House Joint Resolution No. 661 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 3090** -- Dentists - Revises scope of practice for dentistry to include evaluation and treatment of maxillofacial area and associated structures; authorizes oral and maxillofacial surgeons to perform soft tissue facial cosmetic surgery incidental to dental treatment. Amends TCA Title 63, Chapter 5. by \*Walley. (\*SB2854 by \*Kyle)

Further consideration of House Bill No. 3090 previously considered on April 10, 2000, at which time it was reset for today's Calendar.

**BILL RE-REFERRED**

Rep. Walley moved that House Bill 3090 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 2387** -- Highway Signs - Prohibits stacking of two or more billboard displays, or more than one horizontal display in excess of square footage limitations of present law, after 7/1/00. Amends TCA Title 54, Chapter 21. by \*Eckles, \*McAfee. (SB2479 by \*Haynes)

Further consideration of House Bill No. 2387 previously considered on April 6, 2000 and April 10, 2000, at which time it was reset for today's Calendar.

Rep. Eckles moved that House Bill No. 2387 be reset for the Regular Calendar on May 11, 2000, which motion prevailed.

**House Bill No. 2306** -- Gas, Petroleum Products, Volatile Oils - Authorizes intrastate natural gas pipeline corporation acting under pilot project created in 1999, to utilize right of way along state highway for installation of pipelines or other facilities whether delivery is characterized as being through transmission or distribution line; ensures contractual arrangements and right to transport gas remain whether pilot project is extended or not extended. Amends TCA Section 65-28-103. by \*Curtiss, \*Tindell, \*Armstrong, \*Towns, \*Hagood, \*Boyer, \*Cole (Carter), \*Westmoreland. (\*SB2329 by \*Haynes, \*Cooper, \*Dixon, \*Ford J)

Further consideration of House Bill No. 2306 previously considered on April 12, 2000, at which time it was reset for today's Calendar.

Rep. Lewis requested that House Bill No. 2306 be moved down 5 places on the Calendar.

**\*House Bill No. 3220** -- Insurance, Health, Accident - Prohibits certain entities and employers from marketing, selling or giving away certain information regarding employees, enrollees or insureds; Class C misdemeanor; civil penalties and attorney fees provided Amends TCA Title 50 and Title 56. by \*Caldwell. (SB3219 by \*McNally)

Further consideration of House Bill No. 3220 previously considered on April 12, 2000, at which time it was reset for today's Calendar.

Rep. Caldwell moved that House Bill No. 3220 be reset for the Regular Calendar on May 11, 2000, which motion prevailed.

**\*Senate Bill No. 2157** -- Animals - Allows trier of fact to award up to \$5,000 in non-economic damages to person whose pet is killed or sustains injuries which result in death caused by intentional or negligent act of another or by the pet of another. Amends TCA Title 44, Chapter 17. by \*Cohen, \*Person. (HB2583 by \*Briley, \*Kisber)

Further consideration of Senate Bill No. 2157 previously considered on April 3, 2000, April 6, 2000, at which time the House adopted Amendment(s) No(s). 2 and April 13, 2000, at which time it was reset for today's Calendar.

Rep. Briley moved that Senate Bill No. 2157, as amended, be passed on third and final consideration.

Rep. Briley moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2157 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 17, Part 4, is amended by adding the following as a new, appropriately designated section:

Section 44-17-4\_\_.

(a) If a person's pet is killed or sustains injuries which result in death caused by the unlawful and intentional, or negligent, act of another or the animal of another, the trier of fact may find the individual causing the death or the owner of the animal causing the death liable for up to four thousand dollars (\$4,000) in non-economic damages; provided that if such death is caused by the negligent act of another, the death or fatal injury must occur on the property of the deceased pet's owner or care-taker, or while under the control and supervision of the deceased pet's owner or care-taker.

(b) As used in this section, "pet" means any domesticated dog or cat normally maintained in or near the household of its owner;

(c) Limits for non-economic damages set out in subsection (a) shall not apply to causes of action for intentional infliction of emotional distress or any other civil action other than the direct and sole loss of a pet.

(d) Non-economic damages awarded pursuant to this section shall be limited to compensation for the loss of the reasonably expected society, companionship, love and affection of the pet.

(e) This section shall not apply to any not-for-profit entity or governmental agency, or their employees, negligently causing the death of a pet while acting on the behalf of public health or animal welfare; to any killing of a dog that has been or was killing or worrying livestock as in § 44-17-203; nor shall this section be construed to authorize any award of non-economic damages in an action for professional negligence against a licensed veterinarian.

(f) The provisions of this section shall apply only in incorporated areas of any county having a population in excess of seventy-five thousand (75,000) according to the 1990 federal census or any subsequent census.

SECTION 2. This act shall be known and may be cited as the "T-Bo Act".

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any fatal injury sustained on or after the effective date of this act.

On motion, Amendment No. 3 was adopted.

Rep. Odom moved the previous question, which motion prevailed.

Rep. Briley moved that **Senate Bill No. 2157**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	50
Noes .....	27
Present and not voting .....	4

Representatives voting aye were: Armstrong, Arriola, Bittle, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cooper, Curtiss, Fitzhugh, Fowlkes, Garrett, Givens, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Jones S., Kent, Kernell, Langster, Lewis, Maddox, McAfee, McDaniel, McMillan, Montgomery, Odom, Phelan, Pinion, Pruitt, Rhinehart, Rinks, Robinson, Sands, Scroggs, Stulce, Tindell, Turner (Hamilton), Walker, Walley, West, Williams, Winningham, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Baird, Beavers, Black, Bone, Bunch, Buttry, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Fraley, Godsey, Goins, Head, Hood, Kerr, McCord, McDonald, Mumpower, Roach, Sargent, Sharp, White, Whitson, Windle, Wood -- 27.

Representatives present and not voting were: Jackson, Miller, Tidwell, Towns -- 4.

A motion to reconsider was tabled.

**House Bill No. 2888** -- Safety - Increases certain electrical inspection fees. Amends TCA Title 68, Chapter 102, Part 1. by \*Rinks. (\*SB2550 by \*Cooper)

Further consideration of House Bill No. 2888 previously considered on April 6, 2000 and April 13, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2888 was made to conform with **Senate Bill No. 2550**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that **Senate Bill No. 2550** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes..... 82  
Noes ..... 5  
Present and not voting ..... 2

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, White, Whitson, Williams, Windle, Winningham, Wood -- 82.

Representatives voting no were: Beavers, Harwell, Hassell, Turner (Shelby), West -- 5.

Representatives present and not voting were: Hargrove, Towns -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 3017** -- Insurance Companies, Agents, Brokers, Policies - Authorizes commissioner of commerce and insurance to regulate and control HMOs; establishes registration and other requirements for HMOs and holding companies. Amends Title 56 of the TCA. by \*Kisber, \*Eckles, \*Hood, \*McAfee, \*Head. (SB3090 by \*McNally)

Further consideration of House Bill No. 3017 previously considered on April 10, 2000 and April 13, 2000, at which time it was reset for today's Calendar.

Rep. Eckles moved that House Bill No. 3017 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 2594** -- Election Laws - Enacts "Fair Ballot Access Act of 2000"; requires independent candidate, upon request, to be listed on ballot under name of political party affiliation which is other than state-wide political party whose name does not resemble state-wide party upon certification that candidate was nominated by assembly of that party at least 30 days prior to election. Amends TCA Section 2-5-208. by \*Kerr, \*Rinks. (\*SB2149 by \*Burchett, \*Cohen)

Further consideration of House Bill No. 2594 previously considered on May 1, 2000, at which time it was reset for today's Calendar.

Rep. Kerr moved that House Bill No. 2594 be reset for the Regular Calendar on May 11, 2000, which motion prevailed.

**House Bill No. 2306** -- Gas, Petroleum Products, Volatile Oils - Authorizes intrastate natural gas pipeline corporation acting under pilot project created in 1999, to utilize right of way along state highway for installation of pipelines or other facilities whether delivery is characterized as being through transmission or distribution line; ensures contractual arrangements and right to transport gas remain whether pilot project is extended or not extended. Amends TCA Section 65-28-103. by \*Curtiss, \*Tindell, \*Armstrong, \*Towns, \*Hagood, \*Boyer, \*Cole (Carter), \*Westmoreland. (\*SB2329 by \*Haynes, \*Cooper, \*Dixon, \*Ford J)

Further consideration of House Bill No. 2306 previously considered on today's Calendar.

On motion, House Bill No. 2306 was made to conform with **Senate Bill No. 2329**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 2329 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Curtiss moved that **Senate Bill No. 2329** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

**House Bill No. 2874** -- Real Estate Agents and Brokers - Requires real estate brokers to complete 16 hours of continuing education every two years. Amends TCA Title 62, Chapter 13, Part 3. by \*Sands. (\*SB2811 by \*Ramsey)

Further consideration of House Bill No. 2874 previously considered on May 3, 2000 and May 6, 2000, at which time it was reset for today's Calendar.

Rep. Hargrove moved that House Bill No. 2874 be reset for the Regular Calendar on May 18, 2000, which motion prevailed.

**House Bill No. 2533** -- Highway Signs - "The Walking Horse Parkway," segment of S.R. 64 from U.S. 41 in Coffee County to U.S. 31-A in Marshall County. by \*Fowlkes, \*Hood, \*Lewis, \*Beavers, \*Phillips, \*Williams (Williamson), \*Sands. (\*SB2191 by \*Blackburn)

On motion, House Bill No. 2533 was made to conform with **Senate Bill No. 2191**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 2191 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2191 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Notwithstanding any other provision of law to the contrary, the following segments of State Route 64, U.S. Highway 31-A and State Route 106 are hereby designated as "The Walking Horse Parkway": that segment of State Route 64 from its intersection with U.S. Highway 41 at Beech Grove in Coffee County to its intersection with U.S. Highway 31-A at Farmington in Marshall County; that segment of U.S. Highway 31-A from its intersection with State Route 64 at Farmington in Marshall County to its intersection with U.S. Highway 431 at Lewisburg in Marshall County; that segment of State Route 106 known as the Ellington Bypass at Lewisburg in Marshall County; and, that segment of U.S. Highway 31-A from its intersection with State Route 106 south of Lewisburg in Marshall County to its intersection with Interstate Highway 65 in Marshall County.

SECTION 2. The department of transportation is directed to erect suitable markers or to affix suitable signs designating such highway segments as described in Section 1 of this act as "The Walking Horse Parkway".

SECTION 3. The erection of such signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

SECTION 4. This act shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 5. The appellation "The Walking Horse Parkway" provided for in this act is for designatory purposes only and nothing contained herein shall be construed as requiring the alteration of any address, or the governmental system for assigning addresses, in any county or locality affected by this act.

SECTION 6. Nothing contained in this act shall be construed as requiring the alteration of any previously named segments of, or bridges on, any highways described in Section 1 of this act as "The Walking Horse Parkway".

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2191 By adding the following new, appropriately designated section immediately preceding the effective date section of the bill as amended by House Transportation Committee Amendment No. 1:

SECTION \_\_\_\_\_. This act shall become operative only if the Tennessee Walking Horse Breeders and Exhibitors Association remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act. The Tennessee Walking Horse Breeders and Exhibitors Association shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the Tennessee Walking Horse Breeders and Exhibitors Association within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, the Tennessee Walking Horse Breeders and Exhibitors Association shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Fowlkes moved that **Senate Bill No. 2191**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	0



**THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1237** -- Loan Companies and Short Term Lenders - Authorizes alternative set of charges for small short term loans ranging in amount from \$100 to \$1,000. Amends TCA Section 45-5-403. by \*Gunnels, \*Ford S, \*Williams (Williamson), \*Phelan, \*Godsey, \*Mumpower, \*DeBerry J. (\*SB1218 by \*Cooper)

On motion, House Bill No. 1237 was made to conform with **Senate Bill No. 1218**; the Senate Bill was substituted for the House Bill.

Rep. Gunnels moved that Senate Bill No. 1218 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Head moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Gunnels moved that **Senate Bill No. 1218** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	86
Noes .....	3
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 86.

Representatives voting no were: Ridgeway, Towns, West -- 3.

Representatives present and not voting were: Brooks, Brown -- 2.

A motion to reconsider was tabled.

**House Bill No. 2660** -- Election Laws - Allows registry of election finance to assess late filing fee of \$30.00 a day up to maximum of \$900 instead of \$25.00 a day up to maximum of \$750; increases class 1 offense civil penalty from \$25.00 a day up to maximum of \$750 to \$30.00 a day up to maximum of \$900. Amends TCA Title 2, Chapter 10; Title 3, Chapter 6, Part 1 and Title 8, Chapter 50, Part 5. by \*McMillan. (\*SB2695 by \*Cooper)

Rep. McMillan moved that House Bill No. 2660 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 3100** -- Governor - Requires governor's inauguration (oath of office) to be held on Plaza of War Memorial Building or other appropriate outdoor venue. Amends TCA Title 2, Chapter 10 and Title 8. by \*McMillan. (\*SB2701 by \*Cooper)

Rep. McMillan moved that House Bill No. 3100 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 2652** -- Sentencing - Clarifies that submitting false report of bomb, fire or other emergency is Class E felony Amends TCA Title 39, Chapter 16, Part 5. by \*McMillan. (\*SB2280 by \*Kurita, \*McNally, \*Crowe, \*Graves)

Rep. McMillan moved that House Bill No. 2652 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2652 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-16-502, is amended by deleting subsection (b) and by substituting instead the following:

(b)(1) A violation of subdivision (a)(1) or (a)(2) is a Class A misdemeanor.

(2) A violation of subdivision (a)(3) is a Class E felony.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 2652**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 0

**THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 93.

A motion to reconsider was tabled.

**House Bill No. 2773** -- Teachers, Principals and School Personnel - Authorizes teachers completing probationary period who are not re-employed to have hearing before board of education; board can grant tenure to teacher if finds it to be appropriate; limits teachers to back pay if do not receive required notice of dismissal or failure of reelection. Amends TCA Section 49-5-409. by \*McMillan, \*Jones U (Shelby), \*Williams (Williamson), \*Maddox, \*Cooper B. (\*SB2188 by \*Springer, P)

Rep. McMillan moved that House Bill No. 2773 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 3102** -- Domestic Violence - Requires rules and regulations of domestic violence state coordinating council concerning batterers' intervention programs to include assessment of fees in order to fund certification and monitoring of such programs. Amends TCA Title 38, Chapter 12, Part 1. by \*McMillan, \*Odom. (\*SB3134 by \*Burks)

Rep. McMillan moved that House Bill No. 3102 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3102 by deleting the word "Fees" and substituting instead the words "Reasonable fees" before the words "to be assessed" at the beginning of subitem (3) in Section 1 of the bill.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 3102**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes .....	0
Present and not voting .....	1

**THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

**House Bill No. 3104** -- Divorce and Annulment - Makes certain changes relative to distribution of marital property Amends TCA Section 36-4-121. by \*McMillan. (\*SB2673 by \*Cohen)

On motion, House Bill No. 3104 was made to conform with **Senate Bill No. 2673**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that **Senate Bill No. 2673** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Boyer -- 1.

A motion to reconsider was tabled.

**House Bill No. 2644** -- Custody and Support - Allows initiation of termination of parental rights or modification of prior order of custody based upon grounds that custodial parent has been convicted or found civilly liable for the intentional and wrongful death of the child's other parent. Amends TCA Title 36, Chapter 1 and Title 36, Chapter 6. by \*McMillan. (\*SB2474 by \*Haynes)

On motion, House Bill No. 2644 was made to conform with **Senate Bill No. 2474**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2474 be passed on third and final consideration.

On motion, Rep. Chumney withdrew Children and Family Affairs Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 2474** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 90  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

**House Bill No. 3132** -- Education, State Board of - Requires state board of education to develop guidelines and criteria for instruction on railroad crossing safety. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 6. by \*Turner (Hamilton). (\*SB2993 by \*Crutchfield)

On motion, House Bill No. 3132 was made to conform with **Senate Bill No. 2993**; the Senate Bill was substituted for the House Bill.

Rep. Turner (Hamilton) moved that Senate Bill No. 2993 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Turner (Hamilton) moved that **Senate Bill No. 2993** be passed on third and final consideration, which motion prevailed by the following vote:

**THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY**

Ayes..... 91  
Noes ..... 0  
Present and not voting ..... 2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Bunch, Dunn -- 2.

A motion to reconsider was tabled.

**House Bill No. 2578** -- Employees, Employers - Requires employers with more than five employees providing goods or services to local or state government to have drug-free workplace. Amends TCA Title 50. by \*Briley. (\*SB2932 by \*Womack)

Rep. Briley moved that House Bill No. 2578 be reset for the Regular Calendar on May 11, 2000, which motion prevailed.

**House Bill No. 3156** -- Animals - Enacts "The Tennessee Spay/Neuter Law." Amends TCA Title 44, Chapter 17. by \*Briley. (\*SB2725 by \*Haun)

Rep. Briley moved that House Bill No. 3156 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3156 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 17, is amended by adding Sections 2 through 6 inclusive of this act as a new, appropriately designated part.

SECTION . This act shall be known and may be cited as "The Tennessee Spay/Neuter Law."

SECTION 3. (a) No person shall adopt a dog or cat from an agency, including but not limited to an animal shelter, dog pound, animal control agency or humane shelter operated by a municipality, county, or other governmental agency within the state, or a private organization operating a shelter from which animals are adopted or reclaimed, unless:

- (1) The dog or cat has already been spayed or neutered;
- (2) The dog or cat has been spayed or neutered by a licensed veterinarian while in the custody of the agency; or
- (3) The new owner signs a written agreement with the agency stating that the new owner will have the dog or cat spayed or neutered by a licensed veterinarian:

(A) within thirty (30) days of the date of the adoption, if such dog or cat is sexually mature; or

(B) within thirty (30) days after the dog or cat reaches six (6) months of age, if the dog or cat is not sexually mature at the time of the adoption.

(b) Nothing in this section shall preclude the spaying or neutering of a sexually immature dog or cat at the discretion of a licensed veterinarian with the consent of the new owner.

SECTION 4. (a) If the dog or cat being adopted has not been spayed or neutered, the agency shall require a deposit of not less than twenty-five dollars (\$25.00) from the new owner prior to the adoption in order to ensure that the dog or cat is spayed or neutered. The new owner may request and shall receive a refund of the deposit from the agency upon providing confirmation of the spaying or neutering.

(b) If the new owner fails to have the dog or cat spayed or neutered within the time frame established by Section 3, or if the spaying or neutering is timely performed, but the new owner fails to request the return of the deposit within an additional ten (10) days after the date by which the spaying or neutering is required to be performed, such deposit shall be forfeited to the agency holding the deposit and shall be used by the agency to conduct programs to spay or neuter dogs and cats and/or to conduct educational programs in support of the spaying and neutering of dogs and cats.

SECTION 5. If a person fails to comply with the provisions of this act, the agency may file a petition with a court of competent jurisdiction seeking compliance and/or requesting return of the dog or cat to the agency from which it was adopted.

SECTION 6. Nothing in this part shall be construed to authorize an agency to spay or neuter a dog or cat, if such dog or cat is being claimed by and returned to its lawful owner within seven (7) days of such dog or cat being taken into custody by the agency.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of the act are declared to be severable.

SECTION 8. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Agriculture Committee Amendment No. 1 was adopted.

Rep. Boyer moved the previous question, which motion prevailed.

Rep. Briley moved that **House Bill No. 3156**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	50
Noes .....	33
Present and not voting .....	5

Representatives voting aye were: Arriola, Baird, Bittle, Bone, Boyer, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cooper, Curtiss, Dunn, Eckles, Ferguson, Garrett, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Hassell, Hood, Jones S., Kent, Kernell, Langster, Maddox, McDaniel, McMillan, Odom, Phelan, Pinion, Pruitt, Rhinehart, Rinks, Sands, Sargent, Scroggs, Todd, Turner (Hamilton), Walley, West, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Armstrong, Beavers, Black, Davidson, Davis (Cocke), Davis (Washington), Ford, Fraley, Godsey, Gunnels, Head, Kerr, Lewis, McAfee, McCord, McDonald, McKee, Miller, Montgomery, Mumpower, Patton, Pleasant, Roach, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Westmoreland, White, Whitson -- 33.

Representatives present and not voting were: Bunch, Buttry, Fowlkes, Jackson, Newton -- 5.

A motion to reconsider was tabled.

**\*House Bill No. 1967** -- Highways, Roads and Bridges - Establishes Mississippi Parkway Commission of Tennessee. Amends TCA Section 4-29-222 and Title 11. by \*Fitzhugh. (SB1998 by \*Leatherwood)

Rep. Fitzhugh moved that House Bill No. 1967 be reset for the Regular Calendar on May 11, 2000, which motion prevailed.



**House Bill No. 2896** -- Highway Signs - "William Kendall Abernathy Highway," segment of U.S. 45 in Selmer, McNairy County. by \*Rinks. (\*SB2920 by \*Wilder)

On motion, House Bill No. 2896 was made to conform with **Senate Bill No. 2920**; the Senate Bill was substituted for the House Bill.

Rep. Rinks moved that Senate Bill No. 2920 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2920 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION \_\_\_\_ (a) This act shall become operative only if McNairy County, Tennessee, remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act. McNairy County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to McNairy County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, McNairy County shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(b) If the signs provided for hereunder are to be located on a road other than a road designated as an interstate highway, the local government having jurisdiction over the location of the signs may, in lieu of paying the estimated cost required by subsection (a), supply the department of transportation the signs provided for in this act. Any signs supplied by local government must be manufactured in accordance with standards established by the department of transportation, including but not limited to, the Manual on Uniform Traffic Control Devices.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **Senate Bill No. 2920**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2891** -- Highways, Roads and Bridges - Adds category to oversize vehicle moving permit of over 17 feet at \$1,000 fee and \$100 per inch greater than 18 feet. Amends TCA Title 55, Chapter 7, Part 2. by \*Rinks. (\*SB2723 by \*Haun)

Rep. Rinks moved that House Bill No. 2891 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2891 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-202(c), is amended by deleting the second sentence in its entirety and by substituting instead the following:

Incidental appurtenances and retracted awnings, where the width does not exceed six inches (6"), and safety devices, as designated by the commissioner, shall be excluded from the measurement of width and the provisions contained in § 55-7-205.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 2891**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92  
Noes ..... 0

**THURSDAY, MAY 4, 2000 – SEVENTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 92.

A motion to reconsider was tabled.

**House Bill No. 2811** -- Public Health and Health Care - Extends managed home- and community-based long term care pilot project until June 30, 2001. Amends TCA Section 71-5-187. by \*Arriola. (\*SB2960 by \*Haynes)

Rep. Arriola moved that **House Bill No. 2811** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 94.

A motion to reconsider was tabled.

**House Bill No. 2332** -- Education, Higher - Requires THEC evaluation and approval of any new branch or satellite campuses of existing state institutions of higher education. Amends TCA Title 49, Chapters 7, 8 and 9. by \*Kisber. (\*SB2166 by \*Cooper)

Rep. Williams moved that House Bill No. 2332 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 3122** -- Public Contracts - Permits state to waive sovereign immunity for limited purpose of entering into certain contracts limiting liability of certain contractors. Amends TCA Title 12. by \*Caldwell. (\*SB3043 by McNally)

Rep. Caldwell moved that House Bill No. 3122 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3122 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 3, Part 3, is amended by adding the following as a new appropriately designated section:

12-3-3\_\_\_\_. (a) The commissioner of general services may authorize the procurement of goods through a bid solicitation process in which a limitation of liability is authorized by the commissioner and set forth in the documents initiating the bidding process. Such procurement may be undertaken only in accordance with rules and regulations describing the circumstances in which such procurement will be permitted and what types of limitations of liability will be allowed. The commissioner of general services has the power and shall be required to adopt and submit rules and regulations to the board of standards for approval.

(b) The rules and regulations, as presented to the board of standards by the commissioner, shall describe the circumstances in which such procurement will be permitted, the types of limitations of liability to be allowed and shall be based on and include the following criteria. The commissioner shall not authorize limitation of the liability of a contractor unless the commissioner determines that:

(1) Allowing the limitation of liability is necessary to prevent harm to the state from failing to obtain the goods or services sought, or from obtaining the material at a higher price, if the state refused to allow a limitation of liability;

(2) The limitations and any alternative contract language are commercially reasonable in light of the risks to the state created by the type of goods or services purchased and the purposes for which they will be used; and

(3) The state will not agree to limit the liability of any contractor for intentional torts, criminal acts, or fraudulent conduct.

The rules and regulations shall also allow the commissioner to authorize negotiation of a limitation on a contractor's liability in circumstances where the applicable procurement process has failed to provide a qualified bidder.

(c) In no event shall a limitation of liability permitted by this section be negotiated or authorized for an amount less than two (2) times the value of the contract.

SECTION 2. Tennessee Code Annotated, Title 12, Chapter 4, Part 1, is amended by adding the following as a new appropriately designated section:

12-4-1\_\_\_\_. (a) The commissioner of finance and administration may authorize the procurement of services in which the contractor's liability is limited. Such procurement may be undertaken only in accordance with rules and regulations promulgated by the commissioner of finance and administration as set forth in Tennessee Code Annotated, Section 12-4-109(a)(1)(A). Such rules shall describe the circumstances in which such procurement will be permitted and the types of limitations of liability to be allowed.

(b) The commissioner may also authorize negotiation of a limitation on a contractor's liability, pursuant to rules and regulations to be promulgated by the commissioner in accordance with Tennessee Code Annotated, Section 12-4-109(a)(1)(A), in circumstances where the applicable procurement process has failed to provide a qualified bidder.

(c) The commissioner shall not authorize a limitation of the liability of a contractor unless the commissioner determines that:

(1) Allowing the limitation of liability is necessary to prevent harm to the state from failing to obtain the goods or services sought, or from obtaining the material at a higher price, if the state refused to allow a limitation of liability;

(2) The limitations and any alternative contract language are commercially reasonable in light of the risks to the state created by the type of goods or services purchased and the purposes for which they will be used; and

(3) The state will not agree to limit the liability of any contractor for intentional torts, criminal acts, or fraudulent conduct.

(d) In no event shall a limitation of liability permitted by this section be negotiated or authorized for an amount less than two (2) times the value of the contract.

SECTION 3. This act shall not be construed as limiting third party actions against any contractor of the state.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Caldwell moved that **House Bill No. 3122**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones U., Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Bunch -- 1.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### BILLS WITHDRAWN

On motion of Rep. McAfee, **House Joint Resolution No. 516** was recalled from the Children and Family Affairs Committee and withdrawn from the House.

### RULES SUSPENDED

Rep. Hargett moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 755 out of order, which motion prevailed.

**Senate Joint Resolution No. 755** -- Memorials, Sports - World Airlines Basketball Tournament. by \*Kyle, \*Cohen, \*Dixon, \*Ford J, \*Leatherwood, \*Person.

On motion of Rep. Hargett, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Curtiss moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 773 out of order, which motion prevailed.

**Senate Joint Resolution No. 773** -- Memorials, Sports - Dixie Ponytails, fast pitch World Series champions. by \*Davis L.

On motion of Rep. Curtiss, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Cooper moved that the rules be suspended for the purpose of introducing House Resolution No. 209 out of order, which motion prevailed.

**House Resolution No. 209** -- Memorials, Professional Achievement - Dr. Lirah Sabir, principal of Caldwell Elementary School. by \*Cooper B, \*Miller L, \*Jones U (Shelby).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Cooper, the resolution was adopted.

A motion to reconsider was tabled.

**REPORT OF DELAYED BILLS COMMITTEE  
May 3, 2000**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 3307.

Jimmy Naifeh, Speaker  
Jere Hargrove  
Steve McDaniel

**BILLS REFERRED  
May 4, 2000**

Pursuant to **Rule No. 44**, the following bill(s) was/were referred to the following Committee(s):

**House Bill No. 3307** -- Courts, New Jurisdiction – House Judiciary Committee

**RULES SUSPENDED**

On motion of Rep. Hargrove, and seconded by Rep. McDaniel, the rules were suspended to allow House Bill No. 3307 to be heard in the full Judiciary Committee, which motion prevailed.

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 677 out of order, which motion prevailed.

**House Joint Resolution No. 677** -- Naming and Designating - State Employee Week in Tennessee, May 14-20, 2000. by \*Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, with the request that all members voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 8, 2000:

**House Bill No. 2408:** by Rep. Langster

**House Bill No. 2238:** by Rep. Buck

**Senate Bill No. 2794:** by Rep. Sands

**House Bill No. 1932:** by Rep. Sands

**Senate Bill No. 2622:** by Rep. Walker

**House Bill No. 2532:** by Rep. Fowlkes

**House Bill No. 2012:** by Rep. Whitson

**House Bill No. 2720:** by Rep. Tindell



**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 11, 2000:

**House Bill No. 2600:** by Rep. Kerr

**House Bill No. 3227:** by Rep. Patton

**House Bill No. 1370:** by Rep. McCord

**House Bill No. 2770:** by Rep. Armstrong

**House Bill No. 3055:** by Rep. Hargrove

**House Bill No. 2610:** by Rep. Hargrove

**Senate Bill No. 3035:** by Rep. Armstrong

**House Bill No. 1022:** by Rep. Jackson

**House Bill No. 3101:** by Rep. McMillan

**ANNOUNCEMENTS**

**MOTION TO ADOPT HOUSE SCHEDULE**

Rep. Hargrove moved that the House adopt the Revised House Weekly Schedule, which motion prevailed.

**SPECIAL ORDER**

Rep. Hargrove moved that House Bill(s) No(s). 3055 and 2610 be moved from the Message Calendar for Thursday, May 11, 2000 to the Message Calendar for Monday, May 8, 2000, which motion prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 489:** Rep(s). Westmoreland as prime sponsor(s).

**House Joint Resolution No. 591:** Rep(s). Kent as prime sponsor(s).

**House Bill No. 319:** Rep(s). Cooper and Brooks as prime sponsor(s).

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**House Bill No. 715:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 1849:** Rep(s). Towns as prime sponsor(s).

**House Bill No. 2112:** Rep(s). Sharp as prime sponsor(s).

**House Bill No. 2297:** Rep(s). Bunch, Maddox, Whitson, Chumney, Scroggs, Black, Beavers, Davis (Washington), Tidwell, Ford, Givens, Kent, Todd, Westmoreland, Pinion, Montgomery, White, Winningham, Kernell, Turner (Hamilton), Mumpower and Godsey as prime sponsor(s).

**House Bill No. 2526:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2688:** Rep(s). Patton, Black, McMillan and Brown as prime sponsor(s).

**House Bill No. 2845:** Rep(s). Pinion as prime sponsor(s).

**House Bill No. 3038:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 3058:** Rep(s). Towns, Brooks, Armstrong, Miller, Turner (Shelby) and L. DeBerry as prime sponsor(s).

**MESSAGE FROM THE SENATE  
May 4, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2659; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE  
May 4, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3219; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Bill No. 3219** -- Insurance, Health, Accident - Prohibits certain entities and employers from marketing, selling or giving away certain information regarding employees, enrollees or insureds; Class C misdemeanor; civil penalties and attorney fees provided Amends TCA Title 50 and Title 56. by \*McNally. (\*HB3220 by \*Caldwell)

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2715, 2883 and 3301; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**May 4, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2652, 2811, 2891, 3102, 3122, 3156, also, House Joint Resolution(s) No(s). 623, 624, 625, 626, 627, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 654, 655, 656, 657, 658, 659, 660, 661 and 677.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 598, 599, 600, 601, 602, 603, 604, 606, 607, 608, 609, 612, 613, 614, 615, 616, 617, 618, 619, 621 and 653; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3287 and 3308; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 4, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 755; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**May 4, 2000**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 755.

**CONSENT CALENDAR**

**May 4, 2000**

The following local bills have been placed on the Consent Calendar for **May 8, 2000**:  
House Bill(s) No(s). 2842, 3290, 3317, 3318, 3319 and 3321.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 93.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 4:00 p.m., Monday, May 8, 2000.